

Notice of Allowability

Application No.

10/028,216

Applicant(s)

DAVIDSON ET AL.

Examiner

Virginia Manoharan

Art Unit

1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiation of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication of 11/17/03.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on 20 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

VIRGINIA MANOHARAN
PRIMARY EXAMINER

ART UNIT 1764

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Atty. Douglas B. Little, representative to applicants, on August 17, 2004.

IN THE ABSTRACT:

Line 6, "Described is a" has been changed to -A--.

Line 7, "comprising" (both occurrences) have been changed to -including— respectively.

Line 8, "comprises" has been changed to -includes--.

IN THE CLAIMS:

Claim 1, line 5; claim 3, line 1; claim 5, line 2; claim 6, line 2, claim 9, line 7; claim 11, line 2; and claim 15, line 1, "one or more" have been changed to -at least one— respectively.

Claim 1, line 12, between "evaporation" and "of " - of an amount—has been inserted.

Claim 1, line 14, "an" has been changed to -said--.

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Claim 5, line 1; Claim 10, line 1; and claim 11, line 2, "regulated" have been changed to —adjusted—respectively.

Claims 1-15 are allowed.

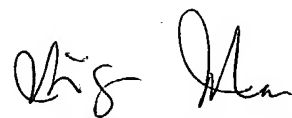
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Virginia Manoharan whose telephone number is 571-272-1450.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Caldarola, can be reached on 571-272-1444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VM

August 20, 2004


VIRGINIA MANOHARAN
PRIMARY EXAMINER
ART UNIT 138/264
8/20/04

EXAMINER'S REASONS FOR ALLOWANCE:

The following is an examiner's statement of reasons for allowance:

The problems addressed by the process, interalia, are the over-evaporation of colloidal solution, resulting, e.g., in degradation of the colloidal solution in an evaporation zone and fouling of the equipment ; and under-evaporation of colloidal solution resulting, e.g., in the resultant article formed not being able to hold its desired shape. (See pages 1-2 of the specification).

The problems are solved according to the invention, interalia, by passing the colloidal solution through at least one orifices without substantially contacting the at least one inner surface of the evaporation zone (avoiding over-evaporation); and providing controlled evaporation of the colloidal solution by applying pressure allowing for flash evaporation and adjusting the pressure in said evaporation zone (avoiding under-evaporation).

Greigh et al (5,730,836), deemed to be the closest present prior art, does not pass a colloidal solution into at least one orifices of the evaporation zone wherein the solution does not substantially contact at least one inner surface of said zone.

While the process of Williams (4,414,341) passes a polymer solution through an orifice and employs controlled evaporation by adjusting temperature, it does not, however, control by applying pressure in the evaporation zone that is lower than the vapor pressure of the colloidal solution allowing for flash evaporation of an amount of at


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least a portion of at least one volatile component from said colloidal solution ;and
adjusting the pressure in said evaporation zone.,

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

VM

August 20, 2004


VIRGINIA MANOHARAN
PRIMARY EXAMINER
ART UNIT 1287 764
8/20/04